Attorney Docket No. HES 2000-IP-002115U1P1P1 Haynes and Boone Docket No. 30545.77 Customer No. 000027683

## III. **REMARKS**

Applicants respectfully request the entry of the foregoing amendment to the specification of the above-identified application, which sets forth a correction to the benefit claim to an earlierfiled application.

The facts that precipitate and support the requested correction are as follows:

- 1. At the time the above-identified application was filed, the application number assigned to the earlier-filed application had not been received by Applicants.
- 2. At the time the above-identified application was filed, Applicants believed that the filing date that would be assigned to the earlier-filed application was July 17, 2003. Applicants' belief was based on the fact that the transmittal papers of the earlier-filed application were dated July 17, 2003.
- 3. In contrast to the date on the transmittal papers of the earlier-filed application, the date on the mailing receipts of the earlier-filed application was July 18, 2003.
- 4. Subsequent to the filing of the above-identified application, Applicants received the Official Filing Receipt of the earlier-filed application. The filing date of the earlier-filed application, as reported on the Official Filing Receipt, is July 18, 2003.
- 5. The present paper is timely filed pursuant to 37 CFR §1.78, as it is filed during the pendency of the above-identified application, and within the later of four months from the filing date of the above-identified application (namely, October 15, 2003) or sixteen months from the filing date of the earlier-filed application (namely, July 18, 2003).

Respectfully submitted

Registration No. 42,53

In view of the foregoing, consideration and entry of the foregoing amendment is respectfully requested.

Dated: November 20, 2003

HAYNES AND BOONE, LLP 901 Main Street, Suite 3100

Dallas, Texas 75202-3789 Telephone: 214-651-5662

Facsimile: 214-200-0853

E-Mail: ipdocketing@haynesboone.com

File: 30545.77 d-1188745.1